



LAND USE SERVICES DEPARTMENT
BUILDING & SAFETY DIVISION
PLANNING COMMISSION STAFF REPORT



HEARING DATE: April 7, 2005

AGENDA ITEM NO: 2

Project Description

Vicinity Map



APPLICANT: **STRICKLAND FAMILY TRUST**
APN: **0345-252-02-0000**
PROPOSAL: APPEAL DENIAL OF MINOR VARIANCE REQUEST TO LOCATE NEW RESIDENCE 10' FROM THE FRONT PROPERTY LINE, 10' FROM BOTH SIDES AND DECK 12' FROM THE REAR PROPERTY LINE, INSTEAD OF THE REQUIRED 15' SETBACK.
COMMUNITY: LAKE ARROWHEAD/3RD SUPERVISORIAL DISTRICT
LOCATION: 609 BRENTWOOD DRIVE, LAKE ARROWHEAD
JCS/INDEX: 202-6N
STAFF: DAVID WALLACE
REP(S):



Hearing Notices Sent On: March 25, 2005
PC Field Inspection Date: April 4, 2005

Report Prepared By: David Wallace
Field Inspected by: Theresa Kwappenberg

SITE DESCRIPTION

Parcel Size: 80 x 116
Terrain: Gradual Slope
Vegetation: Grassy, trees removed.

EXISTING LAND USES AND DISTRICT DESIGNATIONS:

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT	IL
Site	New Single Family Residence	FS1/GH	IL1
North	LA/RS-14M	FS1/GH	IL1
South	LA/RS-14M	FS1/GH	IL1
East	LA/RS-14M	FS1/GH	IL1
West	LA/RS-14M	FS1/GH	IL1

AGENCY

COMMENTS

City Sphere of Influence MAC/CAP:

Water Service:

Septic/Sewer Service:

STAFF RECOMMENDATION: RECOMMEND THAT THE PLANNING COMMISSION UPHOLD BUILDING AND SAFETY DENIAL OF MINOR VARIANCE REQUEST TO LOCATE NEW RESIDENCE 10' FROM THE FRONT PROPERTY LINE, 10' FROM BOTH SIDES AND DECK 12' FROM THEREAR PROPERTY LINE, INSTEAD OF THE REQUIRED 15' SETBACK.

Note: Commission actions on variances are not appealable to the Board of Supervisors.

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BACKGROUND:

On January 20, 2005 the Land Use Services Department, Building and Safety Division received an application for a variance. The request was to locate a new single family residence 10' from the front property line, 10' from both side property lines and 12' from the rear property line instead of the required 15' front, side and rear yard setbacks.

The contiguous property owners were notified and one letter of objection was received from the Lake Arrowhead Country Club stating concerns regarding their liability from misguided golf balls. Building and Safety denied the variance request on February 18, 2005. The denial is being appealed by the owner of the property, Strickland Family Trust.

ANALYSIS:

The lot is located adjacent to Lake Arrowhead Country Club in a developed area of Lake Arrowhead that is made up of older upscale homes. It has a slight down slope behind the setback line and is square in shape. It is essentially the same size as most of the other lots in the area. The rear of the property backs to the golf course. The owners have had a home designed for the property. The home will not fit on the property as designed without the variance.

FINDINGS:

The granting of such variance **WOULD** be materially detrimental to the surrounding property. The homes on either side of this property were built during the 1970's when less restrictive setbacks were allowed making them closer to the property line than would be allowed under the current regulations. The home on the north side is located approximately 9' from the property line and the home on the south side is approximately 10' from the property line. Allowing a reduced setback on this lot would further reduce the defensible space and increase the potential for a fire to spread thereby reducing the fire safety of the neighboring properties.

There are **NO** exceptional or extraordinary circumstances applicable to the property. The lot size is essentially the same as the other properties around it. The lot is square in shape. The topography is relatively flat by mountain standards.

The strict application of the land use district does **NOT** deprive the property of privileges enjoyed by other properties in the vicinity. A home can be designed within the required setbacks comparable to other homes in the neighborhood.

The granting of the variance is **NOT** in keeping with the objectives, policies, general land uses and programs specified in the County General Plan and any applicable plan. The requirement for buildings to be set back from property lines was established for aesthetic as well as fire safety reasons. As the mountain region has developed and more and more homes were built, the increased density has led to more restrictive setback requirements. The setback requirements in the Fire Safety Overlay were adopted in 1983 and established a side setback of 20% of the lot width which in this case is 15'. These requirements are intended to slow the spread of a fire and to provide defensible space to allow the firefighters the ability to fight a fire without putting their lives at even more risk. The necessity for building separation was never more apparent than in the recent Old Fire where many homes were lost.

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RECOMMENDATIONS:

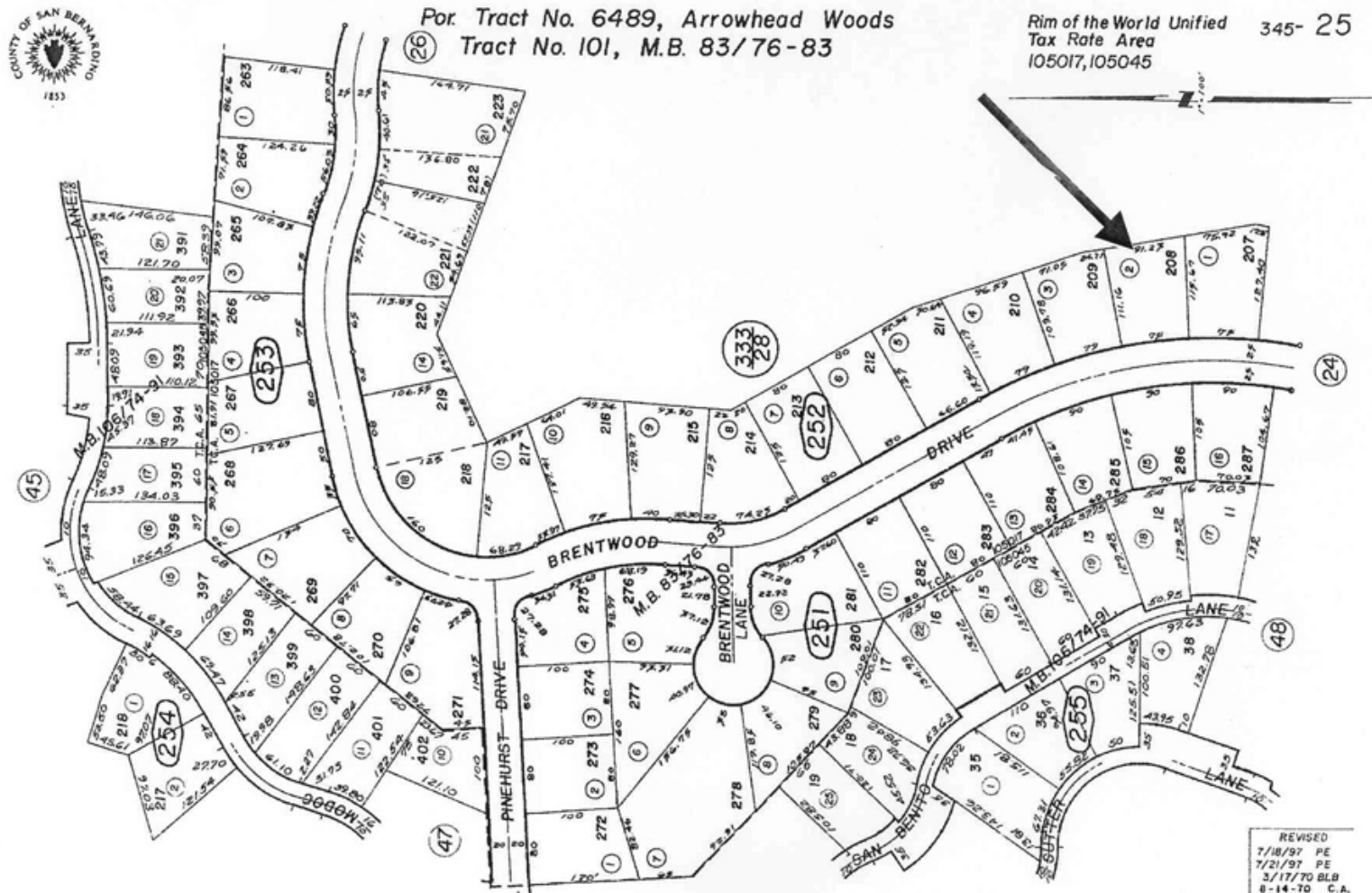
DENY the appeal and **UPHOLD** the Building Official's **DENIAL** of the Minor Variance to reduce the front and both side yard setbacks to 10' and the rear yard set back to 12' instead of the required 15' setback for front, side and rear yards.

EXHIBIT A

STRICKLAND FAMILY TRUST

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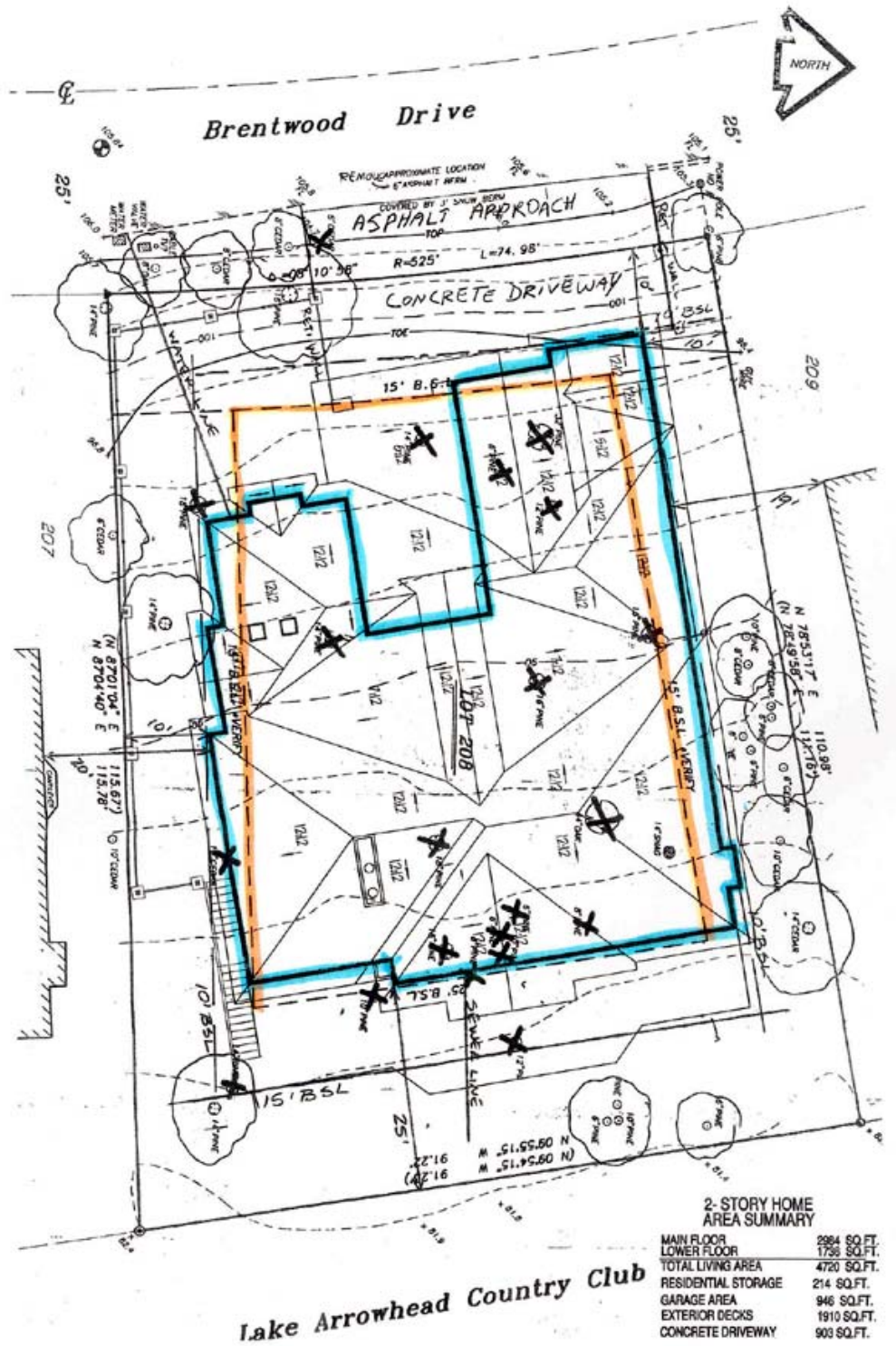
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Por. Tract No. 8053, Arrowhead Woods Tract No. 121, M.B. 106/74-91

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EXHIBIT B



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Lot 208
 Tract 6498





Down right side property line toward rear.



From rear property line to the front.



Looking up the side property line from the rear.



Up the right side property line from rear.